

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:24-cv-04072-SSS-AJR

Date: March 4, 2025

Page 1 of 2

Title: Paul L. Pipitone v. Deputy Matthew Barksdale

DOCKET ENTRY: **ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD
NOT BE DISMISSED FOR FAILURE TO PROSECUTE**

PRESENT:

HONORABLE A. JOEL RICHLIN, UNITED STATES MAGISTRATE JUDGE

Claudia Garcia-Marquez
Deputy Clerk

None
Court Reporter/Recorder

None
Tape No.

ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

PROCEEDINGS: (IN CHAMBERS)

On May 15, 2024, Plaintiff Paul L. Pipitone (“Plaintiff”), proceeding *pro se*, filed a Complaint (the “Complaint”) which the Court screened and dismissed with leave to amend on May 23, 2024. (Dkts. 1, 6.) Plaintiff filed a First Amended Complaint (“FAC”) on August 2, 2024 which the Court dismissed with leave to amend on August 26, 2024. (Dkts. 12, 14.) On September 24, 2024, Plaintiff filed a Second Amended Complaint (“SAC”) which the Court dismissed with leave to amend on October 1, 2024. (Dkts. 15-17). On December 2, 2024, Plaintiff filed a Third Amended Complaint (“TAC”) which the Court dismissed with leave to amend on January 13, 2025. (Dkts. 21, 22.) The Court directed Plaintiff to file a Fourth Amended Complaint, if any, by February 12, 2025. (Dkt. 22.)

More than two weeks have passed since Plaintiff’s deadline to file a Fourth Amended Complaint in response to the Court’s January 13, 2025 order. As of today, Plaintiff has neither filed an amended complaint nor requested an extension of time in which to do so. This action cannot move forward unless and until Plaintiff files an

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:24-cv-04072-SSS-AJR

Date: March 4, 2025

Page 2 of 2

Title: Paul L. Pipitone v. Deputy Matthew Barksdale

amended complaint. Plaintiff is ordered to file a Fourth Amended Complaint, if any, by **March 18, 2025**, or show cause why the action should not be dismissed with prejudice for failure to prosecute. If Plaintiff chooses to file a Fourth Amended Complaint, it should attempt to remedy the pleading defects identified in the January 13, 2025 dismissal order (Dkt. 22), bear the docket number assigned to this case (2:24-cv-04072-SSS-AJR), be labeled “Fourth Amended Complaint,” and be complete in and of itself without reference to the original Complaint, the FAC, the SAC, the TAC, or any other document (except any document that Plaintiff chooses to attach to the Fourth Amended Complaint as an exhibit). Plaintiff is encouraged to state his claims in simple language and provide only a brief statement of supporting facts, omitting facts that are not relevant. Should Plaintiff decide to file a Fourth Amended Complaint, he is strongly encouraged to utilize the form complaint attached to this Order.

Plaintiff is expressly advised that if he does not file a Fourth Amended Complaint by the Court’s deadline or respond to this order, the Court will recommend that this action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey Court orders. If Plaintiff no longer wishes to pursue this action or certain claims or defendants, he may voluntarily dismiss the entire action, certain claims, or certain defendants by filing a Notice of Dismissal in accordance with Federal Rule of Civil Procedure 41(a)(1). A form Notice of Dismissal is attached for Plaintiff’s convenience.

IT IS SO ORDERED.

Attachments:

CV-09, Notice of Dismissal Pursuant to Federal Rules of Civil Procedure 41(a) or (c). Pro Se 15, Complaint for Violation of Civil Rights (Non-Prisoner), available at <https://www.uscourts.gov/forms/pro-se-forms/complaint-violation-civil-rights-non-prisoner>.